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STRANGER THAN FICTION

Justifiable Fratricide!

THIRTY-FIVE YEARS ago I killed my brother to save my son's life. I was formally tried for second degree murder before a judge and jury and in the presence of the people of my community--and found not guilty of having committed any crime. No one, not even my enemies, disagreed with that verdict; for none of the usual motives for homicide were responsible for the thing I did.

When my brother and I were in our late "teens" our father died. We were left to take care of our mother and make our living from the land our father and his father before him had tilled. We lived in a section of the country where the people, for an area of three hundred miles, were as we were--farmers. And in those days, our County so sparsely settled a person could ride for hours without seeing a single soul. In fact, the town nearest our home, a tiny village with one store and a little more than a hundred citizens, was twenty-five miles away.

My brother and I used to ride to this town every Saturday to visit our girl friends. Shortly after our father's death I married the girl I was going to see and terminated my weekly pilgrimages. But my brother continued his regular visits--his girl was the belle of the town and couldn't quite make up her mind to relinquish the title just then, although my brother was conceded the inside track to her heart.

A little more than a year after my marriage, my son was born. The four of us at home, my mother, my wife, my brother, and myself, were intensely proud of the new-comer. And my brother, the moment

the child was born, began planning big things for my son's future. The new uncle was so fond of his nephew that my wife often had to scold him for removing the child from his crib when ~~he~~ <sup>he</sup> certainly should have been fast asleep.

Building castles in the air for my boy's future--college, travel, the life of a gentleman of leisure, a career--fired my brother's imagination; and his courtship of the girl in town became more ardent, more determined. Nothing seemed more satisfactory to him than having a son of his own.

One Saturday, my brother visited his girl as usual. He didn't come back to the farm until the next day. When he arrived I noticed that a leg of his pants was torn.

"Your pants-leg is torn," I said to him. "Been in a fight?"

"No," he answered. "A dog, running loose near the depot, did it. You see, on my way home this morning I stopped by the depot to say hello to a couple of fellows I know. Just as I was remounting my horse, the dog ran up and bit me. Nothing serious though."

"You'd better take care of it," I warned. "The bite of a dog can turn into something serious and horrible!"

He did clean the wound--with soap and water. And then paid no more attention to it. The bite was so insignificant, just a scratch, that he didn't even bandage it. Yet, three days later he complained of pains in his leg, but mentioned nothing about the dog's bite.

That next Saturday, his girl-friend came to spend a week at our farm with my wife and mother. Probably her presence at home caused my brother to forget his complaint, because he said nothing about his leg during the first three days of her stay with us. But just before the girl left for her home I saw him rubbing his leg.

The girl's father drove out to our place to get his daughter, the following Saturday, and just as they were leaving, he said: "The

boys in town shot a mad-dog about four days ago?"

I glanced at my brother's face; there was a look of terror in his eyes.

The next morning he hitched up a horse and buggy and drove the twenty-five miles to town where he visited the one and only doctor. When my brother returned, he would say nothing to me about his consultation with the physician. And he appeared to be quite care-free. Yet I could see that he was worried--worried and frightened.

Several days passed. His leg seemed better. Then one night my wife shook my shoulder. "Wake up!" She whispered.

"What is it?" I asked.

"Listen!" She said.

"I don't hear anything," I told her.

"But I did," she insisted. "Just before I woke you up. I know I did! It sounded like a dog."

"Well we've got three hounds on the place," I reminded her.

"But I know our dogs' bark," she replied. "This was the howl of a strange dog. And it came from your brother's room."

I sat up in bed. Then I heard it too--the snarl of a dog. In a second I was out of bed, out of my room. Cautiously, I opened the door to my brother's room. Slowly, silently, I crept to his bedside. In his sleep he twisted and turned; his whole body trembled; he snapped at his pillow with bared teeth; and upon his lips were large bubbles of foam. My brother had the rabies.

Neither my brother nor I had said anything to our mother and my wife about the dog's having bit him. When they learned what was wrong with him their terror and concern and pity met no bounds. That night my wife went alone and on horse-back for the doctor. When they returned, the physician said that it was too late, that nothing could

be done for my brother. Our doctor was an old fashioned man. Vaguely he had heard that there was a treatment for hydrophobia. But at that time the Pasteur Treatment was a new and mysterious thing to the best of medical men. Besides, we lived too far away from the places where the necessary serum could be obtained. And had we obtained it then--it was too late!

The days which followed were terrifying, awful. My brother's fits of madness were periodic. He would calmly warn us when he felt the thing coming upon him. Then we had to tie him securely to his bed with good strong rope, for he was a heavy powerful man; and a bite from him or a drop of foam from his mouth, falling in an open wound, would have the same effect upon us as the bite of that dog upon him.

And so my brother suffered. People came from far and near to see and hear him suffer. Some came because of morbid curiosity; others out of pity and a desire to be of help. Though our home was the center of interest, we refused to let strangers make a circus out of our misfortune. It was enough to see our dogs, the pets my brother had known and loved for years, go yelping away when he snarled and snapped and struggled. But it was too much when a stranger offered me a large sum of money just to let him see my brother in one of these fits and I had the sheriff put the man off of our farm.

Old friends, strong men, helped take care of my brother, tie him up when it was necessary, and remove the ropes when the period of madness was over. And always, always when he was quite sane, my brother asked that my little boy be brought in from mine and my wife's room to see him. His fondness for the child grew greater as his illness grew more violent.

The one night, after a nerve wrecking day with him, I flung myself across my bed for a minute's rest. The baby was asleep in his crib just a few steps from my bed. My brother had been quiet

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when I left him and being looked after, so I thought, by two men, friends of ours, who had come to help take care of him. Later I learned that my brother had gone to sleep and that they had gone to the kitchen to drink some coffee my wife and mother had prepared.

Heartbroken and tired, I had dropped into a heavy sleep. Suddenly, I wake up. My brother was standing over the baby's crib. He looked perfectly sane, aware of everything around him, and he was smiling down at the sleeping baby. Then the fit came on him.

His expression changed; he began to snarl and snap like a mad-dog. I sprang up, grabbed a heavy poker from the fire-place. My brother seemed not to notice me, nor did he see the other people in the house as they ran into the room. As he bent over the crib, flecks of foam fell over the child. Just as his fingers reached for the baby, I brought the poker down, hard on his head. The two men, my mother and wife, had all frozen to inactivity near the door. I had to strike my brother. And it was a terrific, crushing blow. My brother sighed, sank to the floor; in a few minutes he was dead.

Today, my son is a grown man with a family of his own. He remembers little about his uncle's death. Yet, he knows that I killed him. And often he reads the letter that a world famous minister wrote me in which the preacher describes what I did as "justifiable fratricide".